



## Original Article

## Sustainable development or sacrifice zone? Politics below the surface in post-neoliberal Ecuador

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## ABSTRACT

Ecuador is attempting to build a state-owned metals mining firm with the help of Chile. I will discuss preliminary results from ongoing research on changing land and subsurface rights in the Intag Zone, the location of the first planned state mining project, which Ecuador has recently militarized in the wake of a 20-year campaign of resistance. This research draws on legal geography and political ecology to identify the legal and administrative changes that accompany contemporary geographies of subsurface land grabs, focusing on links between mundane practices (e.g. impact studies, mining law and easements) and overtly antagonistic practices (e.g. criminalization and forced expulsion). Through this analysis I question the state's framing of large-scale mining as a vehicle for sustainable development and *buen vivir* (living well). I aim to connect everyday experiences of land and ownership to larger questions of state authority, practice, and discourse, taking land rights as a significant point of articulation of the state-territory-citizen apparatus. I will also discuss aspects of my solidarity work as a human rights observer in the Intag mining conflict, which points to the difficulty of active resistance in the context of "post-neoliberal" Ecuador, where activists confront the state directly as opposed to transnational corporations as under neoliberalism.

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*"Unfortunately, some people are childish, like the ones opposed to mining. But what country in the world has rejected mining? The dilemma is not 'no' or 'yes' to mining. It is well-developed mining. There is simply no dilemma..." – Rafael Correa, 2008.*

## 1. Introduction

Recent scholarship indicates that the geography of subsoil ownership in the Americas is undergoing significant changes. As Zoomers (2010, 438) notes, "increasing areas of land are also being allocated in the form of mining concessions (e.g. Mali, Honduras), which restricts the maneuvering space of local people" (p. 438). Indeed, Bebbington and Bury (2013) found that investment in extraction increased by thousands of percent in many small Latin American countries that are new mining investment destinations (e.g. FDI for mining increased by 79,000 percent in El Salvador): since 2000 the aggregate rate of extraction of most minerals has more than doubled in South America, and in Ecuador and

Colombia, more mining concessions were granted in the past 10 years than in the preceding two centuries (Bebbington and Bury, 2013). These increases are fostered by legal and administrative changes, and these novel geographies have implications for the livelihood strategies of those who hold surface rights.

This move to amass subsurface properties for the purpose of future resource extraction produces value through 'exclusion' (Bridge, 2008), resulting in increased competition for subsurface properties due in part to the nonrenewable character of underground resources. This process necessarily impinges on the surface uses of those people who live from the same lands or territories, not only through the mode of extraction itself but also through the changing social character of life on the surface as landmen, lawyers, public relations personnel, and mining executives swarm rural communities in efforts to secure subsurface property rights, sometimes with the assistance of the courts, police or military. The changing geographies and intensity of mining investment suggest a need for further investigation into these underground "land grabs" and how they are articulated in specific sites through legal and administrative institutions.

Here, I draw from ongoing research conducted in Ecuador's Intag Zone to examine how subsurface land grabs are enforced in

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Ecuador. Using land title records, mining law, and interviews with policy makers as well as Intag residents, along with my observations as an international human rights observer in the region, I analyze how such land grabs are articulated and rationalized in state policy and political rhetoric in Rafael Correa's self-proclaimed "post-neoliberal" government. Specifically, I posit that these land grabs occur through a slow and piecemeal process which is the basis for the production of "sacrifice zones" in which people and their existing or desired land use practices are sacrificed in the name of national growth and development aspirations.

## 2. Sacrifice zones as state-territorial strategy

### 2.1. Vertical territory and securing the subsoil

A number of geographers have urged us to think through the ways in which space and sovereignty might be thought in vertical or volumetric terms to include the subsoil and airspace (Elden, 2013; Bridge, 2013, 2009; Adey, 2013, 2010; Bebbington, 2012; Braun, 2000). In his 2013 address to the Political Geography Specialty Group of the Association of American Geographers, Elden (2013) argued that "biopolitics and geopolitics can be understood through processes and technologies of bio-metrics and geometrics, means of comprehending and compelling, organizing and ordering ... thinking about power and circulation in terms of volume opens up new ways to think of the geographies of security" (p. 15). Elden's point is that geopolitics has historically centered on flat or two dimensional spatial analyses of the distribution of power, but that reappropriating a "geometric" view of geopolitics opens up new terrains of analysis.

This point is particularly instructive when considering the relationship between the sovereign and the subsoil, for it is precisely the technical geometric and volumetric measurements of subsurface spaces that make them legible as objects of state territory and power. These measurements are also crucial in the reading of subsoil space as discrete volumes or properties, which enables the calculation and circulation of value associated with them (Bridge, 2013). The moment of value production is also a moment of anticipation production, a fact activists opposed to mining know well, given that a common strategy to block progress on mining projects is to interrupt the exploration activities during which measurement and quantification of reserves occurs. Accordingly, anticipation likewise invites securitization, as governments and mining companies react to (or sometimes, preempt) such interruptions by activists with measures to secure their investments. Here, I examine how the subsoil is secured in contemporary Ecuador, where a populist project to strengthen the state in the interest of national development is currently underway.

A wave of new leftist governments came to power in Latin America in the 2000s led first by Venezuela, Bolivia, and Ecuador, which promised more inclusive modes of governance. Despite being lauded as the first country in the world to legally codify rights of nature, the continuation of extractivist policies has been particularly striking under the Correa regime in Ecuador, which takes mining to be a key pillar of the state's strategy to guarantee *buen vivir* (living well) for all citizens. This developmentalist version of *buen vivir* departs significantly from the popular demands that brought *buen vivir*, or in Kichwa, *sumak kawsay*, into the political sphere to push for a return to use values and convivial living (CODENPE, 2003; Greene, 2008; Radcliffe, 2013; Acosta, 2013; Zorrilla, 2014). These extractivist policies beg the question of how nature and nation each get decided, and get articulated, in state strategy.

### 2.2. Uneven citizenship and the sacrifice zone

A useful lens for taking up this question is that of the "sacrifice zone." This term originates in early debates about nuclear energy in the US, when the Department of Energy briefly used the term "National Sacrifice Area" to designate sites of nuclear waste disposal that would become so contaminated, they may not be able to be cleaned up (NPR, 1995). Activists quickly appropriated the term, and the current usage of "sacrifice zone" has been taken up by a number of journalists examining links between severe environmental exploitation and impoverishment in the US, especially the Appalachian coal fields (Davis, 2002; Giardina, 2010; Hedges and Sacco, 2012; Lerner, 2012). However, most of these accounts examine areas that have already been "sacrificed," where there is substantial evidence of depopulation, impoverishment, drug abuse, and health issues related to environmental toxins. The typical conclusion is that areas of sacrifice are the product of an unfettered global capitalism, and that their sacrifice is driven primarily by profit-seeking (e.g. Hedges and Sacco, 2012).

I wish to explore the sacrifice zone in a different way, examining the political and legal techniques through which a sacrifice zone in Ecuador is produced over a long period of time. Likewise, I consider the importance of the sacrifice zone to the biopolitical project of the Ecuadorian state under new imperatives to ensure living well, in which some people and areas are "let die" in the context of a broader discourse of "making live" (Li, 2010). I suggest that Ecuador's national project of living well, of which mining is a key strategic component, constitutes a biopolitical turn for the state with its emphasis on health, education, development and rights for nature. For Agamben (1998), bare life exists within a "state of exception" in which that life is excepted from the political calculations of the state's efforts to "make live:" it is life that is deemed unfit, often because it somehow threatens the security of the state's broader designs to make the populace live. Agamben's concepts of bare life and states of exception have been influential in works on migration and borders to understand how particular bodies are at once constitutive of citizenship but excluded from it (Peutz, 2006; De Genova, 2007; Mountz, 2011; Millner, 2011; De Genova and Peutz, 2010). While Elden's (2013) call to think volumetrically highlights how state sovereignty may extend to the subsoil, I build on this idea to consider the possibility that the sovereign domain over the subsoil may itself constitute a type of border between the underground and the surface, where rights to one imply exclusion of rights to the other. The subsurface must be secured as a source of vitality for *buen vivir*, while *campesino* small-scale and subsistence lifeways on the surface are deemed unfit in the context of these national designs.

Some critiques of the usage of "bare life" in the social sciences suggest that this framing strips subjects of their politics (Fassin, 2010; Owens, 2009). I argue that the distinction between fit and unfit life, as in the making of all borders, always constitutes a political struggle, and that analysis of this struggle enables examination of changing instrumentalities of power as well as the political economy of life itself. The usage of the sacrifice zone as an analytical device allows a reading of how some natures and bodies may be subject to different rules and violence in the national project of living well, but these sacrifice zones are always spaces of contestation.

### 2.3. Toward a critical analysis of sustainable mining policies

As Dupuy (2014) reports, since the mid-1980s, 32 out of 124 countries with mining sectors have adopted new or amended existing mining laws to include social responsibility and sustainable development requirements, while nine more are in the midst of revisions to include such standards. While Dupuy (2014) sees

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